

F. CURT KIRSCHNER JR. (S.B. #122502)  
ckirschner@omm.com  
CHRISTOPHER T. SCANLAN (S.B. #211724)  
cscanlan@omm.com  
LARRY B. GARRETT (S.B. #225192)  
lgarrett@omm.com  
O'MELVENY & MYERS LLP  
Embarcadero Center West  
275 Battery Street, Suite 2600  
San Francisco, CA 94111-3305  
Telephone: (415) 984-8700  
Facsimile: (415) 984-8701

WILLIAM A. SOKOL (S.B. #072740)  
BRUCE A. HARLAND (S.B.#230477)  
WEINBERG, ROGER & ROSENFELD  
A Professional Corporation  
1001 Marina Village Parkway, Suite  
200  
Alameda, CA 94501-1091  
Telephone: (510) 337-1001  
Facsimile: (510) 337-1023

Attorneys for Petitioner/Cross-Respondent  
CALIFORNIA PACIFIC MEDICAL  
CENTER

Attorneys for Respondent/Cross-  
Petitioner  
SERVICE EMPLOYEES  
INTERNATIONAL UNION, UNITED  
HEALTHCARE WORKERS—WEST

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

California Pacific Medical Center,

Petitioner,

v.

Service Employees International Union,  
United Healthcare Workers — West,

Respondent.

Case No. C-06-4685 SC

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO COORDINATE BRIEFING  
SCHEDULE AND CONTINUE CASE  
MANAGEMENT CONFERENCE**

Petitioner and Cross-Respondent California Pacific Medical Center (“CPMC”), and  
Respondent and Cross-Petitioner, Service Employees International Union, United  
Healthcare Workers—West (“UHW”), by and through their respective counsel of record,  
hereby stipulate and agree as follows:

WHEREAS, on August 1, 2006, CPMC filed a Petition to Vacate Or, In The  
Alternative, Correct the Arbitration Award;

WHEREAS, on August 21, 2006, UHW filed a Cross-Petition For Confirmation of  
Arbitration Award;

1 WHEREAS, both parties agree that the Petition to Vacate the Arbitration Award  
2 and the Cross-Petition to Confirm the Arbitration Award should be heard together at the  
3 initial case management conference;

4 WHEREAS, it best serves the interests of judicial economy to establish a  
5 coordinated briefing schedule and common hearing date for the Petition to Vacate the  
6 Arbitration Award and the Cross-Petition to Confirm the Arbitration Award;

7 NOW, THEREFORE, the parties hereby stipulate and agree as follows:

8 1. The hearing on UHW's Motion to Confirm the Arbitration Award, filed on  
9 October 3, 2006, and currently scheduled for hearing on November 17, 2006, is hereby  
10 continued to **December 8, 2006**.

11 2. CPMC shall file a combined Motion to Vacate the Arbitration  
12 Award/Opposition to Motion to Confirm Arbitration Award on or before **October 24,**  
13 **2006**.

14 3. UHW shall file a combined Opposition to the Motion to Vacate/Reply on  
15 the Motion to Confirm Arbitration Award on or before **November 14, 2006**.

16 4. CPMC shall file a Reply in support of its Motion to Vacate Arbitration  
17 Award on or before **November 21, 2006**.

18 5. The initial case management conference (CMC) shall, with the Court's  
19 approval, be continued from November 17, 2006 to **December 8, 2006**. If a later CMC  
20 date is set, or if the CMC is continued on the Court's motion, the hearing on the parties'  
21 cross-motions will be reset to such later or continued date. Pursuant to FRCP  
22 26(a)(1)(E)(viii) and Local Rule 16-2(e), and because the cross-motions to confirm or  
23 vacate the arbitration award are likely to resolve this case in its entirety, the parties are  
24 relieved of any obligation to conduct a Rule 26(f) conference, select a plan for alternative  
25 dispute resolution, or file a CMC statement.

1 Dated: October 10, 2006.

O'MELVENY & MYERS LLP  
F. CURT KIRSCHNER JR.  
CHRISTOPHER T. SCANLAN  
LARRY B. GARRETT

2  
3  
4 By: \_\_\_\_\_/s/  
5 Larry B. Garrett  
6 Attorneys for Petitioner/Cross-Respondent  
7 CALIFORNIA PACIFIC MEDICAL  
8 CENTER


9 Dated: October 10, 2006.

WEINBERG, ROGER & ROSENFELD P.C.  
BRUCE HARLAND  
WILLIAM A. SOKOL

10  
11 By: \_\_\_\_\_/s/  
12 Bruce A. Harland<sup>1</sup>  
13 Attorneys for Respondent/Cross-Petitioner  
14 SERVICE EMPLOYEES INTERNATIONAL  
15 UNION, UNITED HEALTHCARE  
16 WORKERS—WEST

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18  
19  
20 Dated: 10/11/06 \_\_\_\_\_

21  
22  
23  
24  
25  
26  
27  
28  
  
UNITED DISTRICT JUDGE

<sup>1</sup> Counsel e-filing this document represents that he has obtained the permission of Bruce A. Harland, counsel for Respondent/Cross-Petitioner, to file this Stipulation and [Proposed] Order on Respondent/Cross-Petitioner's behalf.